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**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:10-cv-01308-LAK**

American Civil Liberties Union Foundation v. United States
Agency for International Development
Assigned to: Judge Lewis A. Kaplan
Cause: 05:552 Freedom of Information Act

Date Filed: 02/18/2010
Date Terminated: 07/22/2011
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**American Civil Liberties Union
Foundation**

represented by **Brigitte Adrienne Amiri**

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V.

Defendant

**United States Agency for International
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Date Filed	#	Docket Text
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02/18/2010	<u>1</u>	COMPLAINT against United States Agency for International Development. (Filing Fee \$ 350.00, Receipt Number 894419)Document filed by American Civil Liberties Union Foundation.(ama) (Entered: 02/19/2010)
02/18/2010		SUMMONS ISSUED as to United States Agency for International Development, U.S. Attorney and U.S. Attorney General. (ama) (Entered: 02/19/2010)
02/18/2010		Magistrate Judge Kevin Nathaniel Fox is so designated. (ama) (Entered: 02/19/2010)
02/18/2010		Case Designated ECF. (ama) (Entered: 02/19/2010)
02/18/2010	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by American Civil Liberties Union Foundation.(ama) (Entered: 02/19/2010)
02/18/2010	<u>3</u>	MOTION for Heather Weaver to Appear Pro Hac Vice. Document filed by American Civil Liberties Union Foundation.(mro) (Entered: 02/22/2010)
02/18/2010	<u>4</u>	MOTION for Daniel Mach to Appear Pro Hac Vice. Document filed by American Civil Liberties Union Foundation.(mro) (Entered: 02/22/2010)
02/22/2010	<u>5</u>	SUMMONS RETURNED EXECUTED. United States Agency for International Development served on 2/19/2010, answer due 3/12/2010. Service was accepted by Secretary to Preet Bharara. Document filed by American Civil Liberties Union Foundation. (Amiri, Brigitte) (Entered: 02/22/2010)
02/22/2010	<u>6</u>	SUMMONS RETURNED EXECUTED. Service was accepted by Pursuant to Federal Rules, Eric H. Holder, Jr., U.S. Attorney General, was served by mail.. Service was made by MAIL. Document filed by American Civil Liberties Union Foundation. (Amiri, Brigitte) (Entered: 02/22/2010)
02/22/2010	<u>7</u>	SUMMONS RETURNED EXECUTED. Service was made by MAIL. Document filed by American Civil Liberties Union Foundation. (Amiri, Brigitte) (Entered: 02/22/2010)
02/22/2010	<u>8</u>	SUMMONS RETURNED EXECUTED. Service was accepted by Pursuant to Federal Rules, Preet Bharara, US Attorney, was served in person, via his secretary.. Document filed by American Civil Liberties Union Foundation. (Amiri, Brigitte) (Entered: 02/22/2010)
02/24/2010		CASHIERS OFFICE REMARK on <u>4</u> Motion to Appear Pro Hac Vice, <u>3</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 02/18/2010, Receipt Number 894453. (jd) (Entered: 02/24/2010)

02/24/2010	<u>9</u>	MEMO ENDORSEMENT on <u>4</u> Motion for Daniel Mach to Appear Pro Hac Vice. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 2/24/2010) (jpo) (Entered: 02/24/2010)
02/24/2010	<u>1</u> <u>0</u>	MEMO ENDORSEMENT on <u>3</u> Motion for Heather Weaver to Appear Pro Hac Vice. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 2/24/2010) (jpo) (Entered: 02/24/2010)
02/25/2010	<u>1</u> <u>1</u>	NOTICE OF APPEARANCE by Galen Leigh Sherwin on behalf of American Civil Liberties Union Foundation (Sherwin, Galen) (Entered: 02/25/2010)
02/26/2010	<u>1</u> <u>2</u>	NOTICE OF APPEARANCE by Brigitte Adrienne Amiri on behalf of American Civil Liberties Union Foundation (Amiri, Brigitte) (Entered: 02/26/2010)
03/18/2010	<u>1</u> <u>3</u>	NOTICE OF APPEARANCE by Daniel Post Filor on behalf of United States Agency for International Development (Filor, Daniel) (Entered: 03/18/2010)
03/22/2010	<u>1</u> <u>4</u>	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Daniel P. Filor dated 3/18/10 re: counsel for the government requests an extension of time of 30 days until 4/21/10 to respond to plaintiff's claims in this case. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 3/22/10) (dle) Modified on 3/31/2010 (dle). (Entered: 03/22/2010)
03/23/2010	<u>1</u> <u>5</u>	NOTICE OF APPEARANCE by Rose Ann Saxe on behalf of American Civil Liberties Union Foundation (Saxe, Rose) (Entered: 03/23/2010)
04/07/2010	<u>1</u> <u>6</u>	ORDER RE SCHEDULING AND INITIAL PRETRIAL CONFERENCE: Initial Conference set for 5/7/2010 at 10:00 AM in Courtroom 12D, 500 Pearl Street, New York, NY 10007 before Judge Lewis A. Kaplan. (Signed by Judge Lewis A. Kaplan on 4/1/10) (db) (Entered: 04/07/2010)
04/12/2010	<u>1</u> <u>7</u>	CONSENT SCHEDULING ORDER: Amended Pleadings due by 5/1/2010. Joinder of Parties due by 5/1/2010. Discovery due by 9/15/2010. Pretrial Order due by 10/1/2010. So Ordered. (Signed by Judge Lewis A. Kaplan on 4/12/2010) (js) (Entered: 04/13/2010)
04/21/2010	<u>1</u> <u>8</u>	ANSWER to Complaint. Document filed by United States Agency for International Development.(Filor, Daniel) (Entered: 04/21/2010)

09/20/2010	<u>1</u> <u>9</u>	REVISED CONSENT SCHEDULING ORDER: (1) The parties shall confer by October 1, 2010, concerning the status of the remaining issues to be resolved in this action. (2) To the extent a Vaughn Index is required concerning certain documents and exemptions claimed by the Government, the Government shall submit any Vaughn Index by November 1, 2010. (3) Any motion for summary judgment shall be filed by December 15, 2010. (4) Any opposition to a summary judgment motion is due on January 15, 2011. (5) Any reply in support of summary judgment is due on February 1, 2011 (Motions due by 12/15/2010. Responses due by 1/15/2011. Replies due by 2/1/2011. Status Report due by 10/1/2010.) (Signed by Judge Lewis A. Kaplan on 9/20/10) (db) (Entered: 09/20/2010)
11/03/2010	<u>2</u> <u>0</u>	REVISED CONSENT SCHEDULING ORDER: The Government shall produce any remaining responsive documents that are not subject to withholding based on any FOIA exemption by December 31, 2010. To the extent a Vaughn Index is required concerning certain documents and exemptions claimed by the Government, the Government shall submit any Vaughn Index by January 14, 2011. Summary Judgment Motions due by 3/1/2011. Responses due by 4/1/2011; Replies due by 4/15/2011.(Signed by Judge Lewis A. Kaplan on 11/3/10) (djc) (Entered: 11/03/2010)
02/23/2011	<u>2</u> <u>1</u>	REVISED CONSENT SCHEDULING ORDER: IT IS HEREBY ORDERED THAT: (l) The Government shall produce any remaining responsive documents that are not subject to withholding based on any FOIA exemption by March 16, 2011. (2) To the extent a supplemental Vaughn Index is required concerning any documents and exemptions claimed by the Government, the Government shall submit any Vaughn Index by March 30, 2011. (3) Any motion for summary judgment shall be filed by April 20, 2011. (4) Any opposition to a summary judgment motion is due on May 20, 2011. (5) Any reply in support of summary judgment is due on June 3, 2011. v SO ORDERED. Motions due by 4/20/2011. Responses due by 5/20/2011. Replies due by 6/3/2011. (Signed by Judge Lewis A. Kaplan on 2/23/2011) (lnl) (Entered: 02/23/2011)
08/02/2011	<u>2</u> <u>2</u>	STIPULATION AND ORDER OF SETTLEMENT AND DISMISSAL: It is hereby stipulated and agreed, by and between the parties as follows: The ACLUF hereby dismisses this action with prejudice. The ACLUF and any of its successors or assignees agree to forego any challenge either to the adequacy of USAID's search for documents responsive to the FOIA requests or to any withholdings and redactions made in its first-twelfth and thirteenth FOIA Responses. Defendant shall pay the ACLUF the sum of 28,000.00 in attorneys fees and litigation costs pursuant to 5 U.S.C. 552(a)(4)(E). All other provisions as further set forth in this order. (Signed by Judge Paul A. Crotty on 7/22/11) (js) (Entered: 08/02/2011)

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